

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Denver Federal Center, Building 56, Room 1003
P.O. Box 25007 (D-108)
Denver, Colorado 80225-0007

May 18, 2001

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COLORADO RIVER WATER
CONSERVATION DISTRICT

Mr. David P. Boergers
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Dear Mr. Boergers:

The Department of the Interior (DOI) has reviewed the Notice of Application for Preliminary Permit for the Ritschard Dam Project, FERC No. 11880-000, Grand County, Colorado, and provides the following comments.

General Comments

The project would consist of an existing 1,900-foot-long, 145-foot-high central impervious core earth-rock filled dam; an existing reservoir having a surface of 1,550 acres with a storage capacity of 65,985 acre-feet and a normal water surface elevation of 7,489 feet msl; a proposed 800-foot-long, 96-inch-diameter steel penstock; a proposed powerhouse containing one generating unit with an installed capacity of 840 kw; a proposed 400-foot-long 115 kV transmission line; and appurtenant facilities. The project would have an annual generation of 4 GWh that would be sold to a local utility. These facilities would be partially constructed on lands administered by the Bureau of Land Management (BLM).

Threatened and Endangered Species

The proposed project is within the range of the bonytail (*Gila elegans*), Colorado pikeminnow (*Ptychocheilus lucius*) (formerly squawfish), humpback chub (*Gila cypha*), razorback sucker (*Xyrauchen texanus*), bald eagle (*Haliaeetus leucocephalus*), and Osterhout milk-vetch (*Astragalus osterhoutii*).

The project is located at Wolford Mountain Reservoir. The Service participated extensively with the Bureau of Land Management and other entities during the construction planning for this reservoir, which included formal consultation under section 7 of the Endangered Species Act. Formal consultation for the project was concluded with the Bureau on February 7, 1990,

(biological opinion number FWS/GJ-6-CO-89-F-14) to address impacts to the federally listed fish and the federally listed plant *Astragalus osterhoutii*. To address the impacts to the federally listed fish, the Colorado River Water Conservation District complied with the reasonable and prudent alternatives of the biological opinion by contributing \$88,734 to the Service for a projected water depletion of 7,716 acre-feet and by signing an agreement with the Service that provides for water releases of 3,000 acre-feet from Wolford Mountain Reservoir to the 15-mile reach of the Colorado River that flows through Grand Junction, Colorado. The CRWCD also agreed to implement four conservation measures to offset the impacts to *Astragalus osterhoutii*. Formal consultation for the project was reinitiated with the Bureau in 1997, to address the newly listed razorback sucker and its critical habitat and a project modification that included an increase in estimated water depletion from the original 7,716 acre-feet to 13,485 acre-feet. Formal consultation for the modification was completed with the Bureau on March 4, 1998 (biological opinion number GJ-6-CO-97-F-022).

The CRWCD complied with the requirements of the consultation by paying an additional \$79,670 to the National Fish and Wildlife Foundation for the additional 5,769 acre-feet depletion and by agreeing to implement Recovery Action Plan item I.A.3.c(3)(b). This item requires the CRWCD to increase the amount of water delivered to the 15-mile reach above the amount agreed upon between the Service and the CRWCD in 1990.

The applicant should assess potential impacts to the above-listed federally listed species and determine if the proposed project may affect them. In particular, there should be a thorough analysis of whether operation of the hydroelectric project will compromise any agreement between the Service and CRWCD for recovery of federally listed fish, including the agreement to provide specific flows in the 15-mile reach at Grand Junction, Colorado. Copies of the assessment and findings should be submitted for review and concurrence to the Regional Director of the Fish and Wildlife Service in Denver, Colorado.

Other Fish and Wildlife Resources

Construction of Wolford Mountain Reservoir resulted in a loss of about 283 acres of jurisdictional wetlands and 56 acres of stream and open water habitats. Since 1996 to the present, the Service has been participating with the Bureau, other agencies, and consultants to ensure that these losses are fully compensated. Consequently, we will expect the applicant to fully evaluate the potential effects of the proposed hydroelectric project to the wetland mitigation measures that are being implemented for the Wolford Mountain Reservoir project.

If a preliminary permit is issued, the applicant should contact the Fish and Wildlife Service in Grand Junction, Colorado (970-243-2778) to discuss concerns in specific detail and to help identify needed environmental studies. Early coordination should help preclude unnecessary delays and assist in the development of an environmentally compatible project.

Cultural Resources

There were cultural sites located when the dam and reservoir were constructed. A Class III cultural resource inventory will be needed of the entire Area of Potential effects, including all areas where surface disturbance will occur as a result of construction of the proposed project.

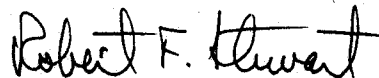
Reservoir Management

The BLM, Kremmling Field Office, administers right-of-way COC-45805, which includes the Ritschard Dam and portions of the Wolford Reservoir. They need to be involved in any activity taking place in this area and review any changes to this right-of-way. The right-of-way includes special conditions for the operation and maintenance of the Ritschard Dam and Wolford Reservoir. These special conditions include a mitigation plan, specifically for the protection of wetland resources and wildlife habitat.

According to the Notice of Application, dated March 16, 2001, a preliminary permit would include the preparation of an economic analysis, preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the decision would be made to continue with the application, construction, and operation of the project. The BLM, Kremmling Field Office, should review the engineering plans and environmental studies and may want to be a participating agency in the preparation of the environmental assessment.

For questions regarding BLM issues, please contact Dave Harr, Associate Field Manager, Bureau of Land Management, Kremmling, Colorado (970-724-3437). Inquiries regarding FWS comments should be directed to the FWS in Grand Junction, Colorado (970-243-2778).

Sincerely,



Robert F. Stewart
Regional Environmental Officer

cc:

Director
Division of Project Review
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Washington, D.C. 20426

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